

April 15, 2003 CPC



STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

03SN0205

Dogwood Partnership

Matoaca Magisterial District  
North line of Hull Street Road

REQUEST: Rezoning from Community Business (C-3) to Residential Townhouse (R-TH) with Conditional Use Planned Development to permit exceptions to Ordinance requirements.

PROPOSED LAND USE:

A residential townhouse development containing a maximum of 101 dwelling units is planned.

RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed zoning and land use conforms to the Upper Swift Creek Plan which suggests the property is appropriate for a mix of uses to include residential developments of various densities of up to ten (10) units per acre.
- B. The proposed zoning and land uses are compatible with, and representative of, existing and anticipated area development.
- C. The proffered conditions address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed

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herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

- (NOTES: A. CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS;
- B. IT SHOULD BE NOTED THAT THE PROFFERED CONDITIONS WERE NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES." THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THE REVISED PROFFERS.)

#### CONDITION

The Textual Statement revised March 10, 2003, shall be considered the Master Plan. (P)

#### PROFFERED CONDITIONS

1. The architectural treatment of all buildings, including materials and style, shall be compatible to the elevations which are attached to the Request Analysis and labeled as Exhibit A. (P)
2. The ultimate design of the development shall generally conform with the Conceptual Plan prepared by Barthol Design Associates, P.C., dated March 5, 2003, titled "The Villas at Dogwood." The location of driveways, parking areas, roads and buildings need not be exactly as shown on the Conceptual Plan; however, the concepts of the Plan shall be generally adhered to such as minimizing the number of units and garages fronting the private drives and public streets and the orientation of dwelling units to one another, to open spaces, and to rights of way. (P)
3. Any above ground facilities required for water quantity or quality control shall be designed as wet ponds and landscaped or otherwise improved so that the facilities become visual enhancements to, and amenities for, uses developed on the property. At the time of site or subdivision plan review, a plan depicting these requirements shall be submitted for review and approval. (P & EE)
4. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Housing Law, and such other applicable federal, state, or local legal requirements, the occupancy of dwelling units shall be restricted to "housing for older persons" as

defined in the Virginia Fair Housing Law and shall have no persons under 19 years of age domiciled therein. (B&M)

5. The applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of building permit for infrastructure improvements within the service district for the property:
  - a. \$3,835.00 per dwelling unit, if paid prior to July 1, 2003. At the time of payment, the \$3,835.00 shall be allocated pro-rata among the facility costs as calculated annually by the County Budget Department as follows: \$770.00 for parks, \$317.00 for library facilities, \$307.00 for fire stations, \$2,441.00 for roads; or
  - b. The amount approved by the Board of Supervisors not to exceed \$3,835.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2002, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2003. The payment shall be allocated pro-rata as set forth above.
  - c. In the event the cash payment is not used for the purpose for which proffered within 15 years of receipt, the cash shall be returned in full to the payor. (B&M)
6. The public water and wastewater system shall be used. (U)
7. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved device has been installed. (EE)
8. The developer shall analyze the two outfalls to include the recorded 100-year floodplain and the adequacy of the culverts under Village Square Parkway. If the recorded floodplain would be affected or the existing culverts do not meet VDOT criteria, the developer must retain/detain water onsite to ensure that the culverts or floodplain are not impacted. (EE)
9. Direct access to Route 360 shall be limited to one (1) public road. The exact location of this access shall be approved by the Transportation Department. Prior to recordation of the initial subdivision plat, a public right-of-way and/or access easements, acceptable to the Transportation Department, shall be recorded across the property to ensure shared use of this access with adjacent properties. (T)
10. In conjunction with the initial development, additional pavement shall be constructed along Route 360 at the approved access to provide a right turn lane. The developer

shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for these road improvements. (T)

11. A minimum of 0.75 acres shall be provided in an area lying at the northern terminus of the entrance road, adjacent to, and including the clubhouse area, as depicted on the Conceptual Plan, to provide a focal point as one enters the project. Part of the area shall be hardscaped and have benches and other amenities that accommodate and facilitate gatherings. The exact design and location shall be approved by the Planning Department at the time of subdivision review. The clubhouse shall have a minimum size of 2000 gross square feet and shall be architecturally compatible with the residential development. Compatibility may be achieved through the use of similar building massing, materials, scale or other architectural features. The clubhouse, together with related focal point amenities, shall be developed concurrent with the first phase of development. (P)
12. Sidewalks shall be provided along both sides of roads and drives that accommodate general traffic circulation through the developments as generally shown on the Conceptual Plan. Sidewalks shall also be provided to the recreational uses within the project and to the adjacent commercially zoned properties. The exact design, treatment and location of the sidewalk shall be approved by the Planning Department at the time of tentative subdivision plan review and site plan review. (P)
13. Street trees shall be installed along both sides of any roads and drives which accommodate general traffic circulation through the development. (P)
14. Landscaping shall be provided around the perimeter of all buildings, between buildings and driveways, within medians, and within common areas not occupied by recreational facilities or other structures. Landscaping shall comply with the requirements of the Zoning Ordinance Sections 19-516 through 19-518(f). Landscaping shall be designed to: minimize the predominance of building mass and paved areas, define private spaces, and enhance the residential character of the development. The Planning Department, at the time of tentative subdivision or site plan review, shall approve a conceptual landscaping plan. Final landscaping design showing the exact numbers, size, spacing, arrangement and species of plantings shall be approved by the Planning Department prior to the release of a building permit for any dwelling unit. (P)
15. A maximum of one hundred and one (101) lots shall be developed on the property. (P)
16. Landscaped Setbacks.
  - a. Thirty (30) foot and fifty (50) foot landscaped setbacks shall be provided, as shown on the conceptual plan. Except as specified herein, the landscaped setbacks shall consist of a landscaped berm and landscaping. Landscaping

shall meet one and one-half times “Landscape C”, as defined in the Zoning Ordinance.

- b. A 100 foot building and parking setback shall be maintained along the northern property boundary adjacent to Manor Gate subdivision. Pedestrian paths and other passive recreational uses and underground utilities shall be permitted with the 100 foot setback area, provided, however, that such utilities shall be located so as not to run generally parallel through the northern seventy-five (75) feet of the 100 foot setback area. The northern seventy-five (75) feet of the 100 foot setback shall be maintained as a buffer and shall comply with Sections 19-520, 19-0521(a) through (h) and 19-522. (P)

- 17. Dwelling units shall not exceed a height of two (2) stories or thirty (30) feet, whichever is less. (P)

### GENERAL INFORMATION

#### Location:

North line of Hull Street Road, east of Cosby Road. Tax IDs 717-671-Part of 3939, Part of 7131, 8690 and 9347; 718-671-Part of 1133; and 718-672-4401 (Sheet 15).

#### Existing Zoning:

C-3 with Conditional Use Planned Development

#### Size:

30.35 acres

#### Existing Land Use:

Vacant

#### Adjacent Zoning and Land Use:

North -A with Conditional Use and O-2 with Conditional Use Planned Development;  
Public/semi-public (school) or single family residential  
South -C-3 with Conditional Use Planned Development and A; Office (under construction)  
or vacant  
East -C-5; Vacant  
West -A with Conditional Use; Commercial and single family residential

## UTILITIES

### Public Water System:

There is an existing twenty-four (24) inch water line extending along the north side of Hull Street Road, adjacent to the request site. In addition, there is an eight (8) inch water line extending along the north side of Cosby Road, adjacent to this site. Use of the public water system is intended and has been proffered. (Proffered Condition 6)

### Public Wastewater System:

There is an existing eight (8) inch wastewater collector extending along the western boundary of Glen Ridge Subdivision, approximately 100 feet east of this site. In addition, there is an existing eight (8) inch wastewater collector extending along portions of Manor Gate Drive and Manor Gate Place, in Manor Gate Subdivision, approximately 150 feet north of the request site. Use of the public wastewater system is intended and has been proffered. (Proffered Condition 6)

## ENVIRONMENTAL

### Drainage and Erosion:

The majority of the property drains north through adjacent subdivisions and then a short distance to Swift Creek Reservoir. The property is wooded and, as such, should not be timbered until issuance of a land disturbance permit. This will ensure that adequate erosion control measures are in place prior to any land disturbance activity. (Proffered Condition 7)

The downstream culverts and the floodplain may have been designed based on a less intense development scenario for these parcels. The developer must therefore analyze the existing, recorded floodplain located in Manor Gate and Glen Ridge down through the first road crossing to determine if the culverts are adequate and that the floodplains will not be affected. If it is determined that the culverts or floodplain will be affected, on-site detention/retention will be required (Proffered Condition 8). Off-site easements may be necessary due to the flatness of some of the watercourses. There are currently no on- or off-site drainage or erosion problems with none anticipated after development.

### Water Quality:

Chesapeake Bay and Upper Swift Creek compliance will be achieved through participation in the County's Regional BMP program. To address concerns relative to the aesthetics of any open basins required for water quantity or quality control, the applicant has agreed that any such facility will be designed as a wet pond and landscaped or otherwise improved so that they become visual enhancements to uses developed on the property. (Proffered Condition 3)

## PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

### Fire Service:

The Public Facilities Plan indicates that emergency services calls are expected to increase forty-five (45) percent by 2015. Eight (8) new fire/rescue stations are recommended for construction by 2015 in the Plan. Based on 101 dwelling units, this request will generate approximately fifteen (15) calls for fire and EMS services each year. The applicant has addressed the impact on fire service. (Proffered Condition 5)

The property is currently served by the Clover Hill Fire/Rescue Station, Company Number 7. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

### Schools:

Since there is an age restriction on the proposed development, this request will have no impact on schools. (Proffered Condition 4)

### Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identified a need for additional library space throughout the County. Even if the facility improvements that have been made since the Plan was published are taken into account, there is still an unmet need for additional library space throughout the County.

Development of this property would most likely impact the Clover Hill Library. The Plan identifies a need for additional library space in this service area. The applicant has agreed to participate in the cost of providing for area library needs. (Proffered Condition 5)

### Parks and Recreation:

The Public Facilities Plan identifies the need for four (4) new regional parks. In addition, there is currently a shortage of community park acreage in the County. The Plan identifies a need for 625 acres of regional park space and 116 acres of community park space by 2015. The Plan also identifies the need for neighborhood parks and special purpose parks and makes suggestions for their locations.

The applicant has offered measures to fully assist in addressing the impact of this proposed development on these Parks and Recreation facilities. (Proffered Condition 5)

Transportation:

In 1999, the Board of Supervisors approved a rezoning request (Case 99SN0227) on thirty-seven (37) acres along Hull Street Road (Route 360) and Cosby Road for development of a mixed-use project. As part of that approval, the Board accepted several transportation related conditions including those relative to right of way dedication, access control and construction of road improvements along Route 360 and Cosby Road. Some of the required transportation improvements have been addressed with development of one (1) site within the project. The subject property, consisting of approximately thirty (30) acres, encompasses most of the thirty-seven (37) acre project, and is currently undeveloped. The applicant has proffered several transportation conditions consistent with those currently on the property.

This request would permit a residential townhouse (R-TH) development on the subject property. The applicant has proffered a maximum density of 101 lots (Proffered Condition 15). The applicant has also proffered to restrict this development to “housing for older persons” (Proffered Condition 4). Based on retirement community trip rates, this development could generate approximately 470 average daily trips. These vehicles will be distributed to Route 360, which had an estimated 2002 traffic count of 23,940 vehicles per day.

The Zoning Ordinance for R-TH allows streets, within 500 feet of a public road, to be privately owned and maintained. It is staff’s recommendation and it is the applicant’s desire to have all of the main streets within this project accepted into the State Highway System. The applicant has included in the Textual Statement a condition that all streets, which will accommodate general traffic circulation, will be designed and constructed to State (VDOT) standards and taken into the State System (Textual Statement, Item 6). Having these streets accepted into the State Highway System will insure their long-term maintenance. The condition allows staff to approve private streets within this residential development, if it is determined that they cannot be designed to State standards. If staff approves any private streets, the condition also requires the developer to provide a plan for their continual maintenance.

Development must adhere to the Zoning Ordinance relative to access and internal circulation (Division 5). Direct access to major arterials, such as Route 360, should be controlled. The applicant has proffered that direct access to Route 360 will be limited to one (1) public road (Proffered Condition 9). This proffered condition requires that this access be shared with adjacent properties through the recordation of a public right of way and/or private access easement.

Mitigating road improvements must be provided to address the traffic impact of this development. The applicant has proffered that with initial development on the property additional pavement will be constructed along Route 360 at the approved access to provide a



right turn lane (Proffered Condition 10). The applicant also intends to have additional access for this development to Cosby Road. The access to Cosby Road must extend through the balance of the property that was included in the original zoning case, but that is not a part of this request. Existing zoning conditions on that property will require the developer of the subject property to construct turn lanes along Cosby Road.

The Thoroughfare Plan identifies the need to improve existing roads, as well as construct new roads to accommodate growth. Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Route 360 will be directly impacted by this development. The capacity of the four (4) lane section of Route 360 between Otterdale Road and Woodlake Parkway is acceptable (Level of Service B) for the volume of traffic it currently carries. The volume of traffic from Woodlake Parkway to Route 288 exceeds the capacity of the road, and drivers experience extreme congestion, especially during peak periods. The Virginia Department of Transportation Six-Year Improvement Program did include a project to widen Route 360 to six (6) and eight (8) lanes from Swift Creek to Winterpock Road. However, due to State budgetary shortfalls, no construction funds have been allocated to this project. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of this development. (Proffered Condition 5)

Financial Impact on Capital Facilities.

		PER UNIT
Potential Number of New Dwelling Units	25*	1.00
Population Increase	68.00	2.72
Number of New Students		
Elementary	0.00	0.00
Middle	0.00	0.00
High	0.00	0.00
TOTAL	0.00	0.00
Net Cost for Schools	0.00	0.00
Net Cost for Parks	17,325	693
Net Cost for Libraries	9,375	375
Net Cost for Fire Stations	10,025	401
Average Net Cost for Roads	102,725	4,109
TOTAL NET COST	139,450	5,578

\*Based on a gross density of 3.33 units per acre on 7.75 acres. Actual number of units and corresponding impacts can vary.

As noted, this proposed development will have an impact on capital facilities. This request is seeking the ability to develop dwelling units on portions of the property that prohibited dwelling units under conditions of Case 99SN0227. That case was approved with a cash proffer. In accordance with recent policy changes for evaluating the impact of development consistent with what may be permitted under existing conditions of zoning, staff has calculated an increase in the impact on capital facilities resulting from twenty-five (25) dwelling units. In arriving at the twenty-five (25) dwelling units, staff used a density of 3.33 units per acre applied to 7.75 acres. This represents the proposed gross density applied to that portion of the property that prohibited the development of dwelling units after adjustments for increase as permitted in Case 99SN0227.

Staff has calculated the fiscal impact of the twenty-five (25) new dwelling units on roads, parks, libraries and fire stations at \$5,578 per unit. The applicant has been advised that a maximum proffer of \$4,815 for each of the twenty-five (25) dwelling units would defray the cost of the capital facilities necessitated by this proposed development. Furthermore, the applicant has been advised that as an alternative to having two (2) different per unit cash proffer amounts for this development, \$3,236 for eighty-one (81) units and \$4,815 for twenty-five (25) units, that a single equivalent cash proffer in the amount of \$3,835 paid on all of the dwelling units would be acceptable. The applicant has proffered cash in the amount of \$3,835 to assist in defraying the cost of this proposed zoning on such capital facilities (Proffered Condition 5). The cash proffer is applicable to all units developed in accordance with this proposed rezoning. Staff finds this cash proffer acceptable.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the cash proffer in this case.

## LAND USE

### Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for a mix of uses to include residential development of various densities of up to ten (10) units per acre and corporate office. One of the goals of the Plan is to accommodate transitional-type uses such as that proposed by this application between Hull Street Road and residential uses outside of the corridor.

### Area Development Trends:

Properties to the northwest and west are zoned Agricultural (A) and are developed for a private school, outdoor recreation (miniature golf), a communications tower and a single family residence. Property to the northeast is zoned Corporate Office (O-2) and is developed as a single family residential subdivision (Manor Gate). Vacant property to the east is zoned General Commercial (C-5) and areas to the south are zoned Community Business (C-3) and Agricultural (A) and are under development for office use or are vacant. The Upper Swift Creek Plan suggests that this section of the Route 360 Corridor

is appropriate for a mixture of uses to include residential development of various densities, professional, business and administrative offices and integrated supporting uses.

#### Zoning History:

On September 21, 1999, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved a rezoning to Community Business (C-3) of a 36.9 acre tract with Conditional Use to permit multi-family residential uses and single family uses not located on individual lots. This case incorporated the subject property on which office and residential uses were permitted. Residential development was limited to a maximum of 128 dwelling units. (Case 99SN0227)

#### Site Design:

The Conceptual Plan, which is intended to provide a general guideline for development of this project, has been included in this application (Proffered Condition 2). The Conceptual Plan includes dwelling orientation, road configuration and the location of common and recreation spaces. The Plan depicts ninety-four (94) of the permitted 101 dwellings as single units, duplexes, triplexes and quadplexes (Proffered Condition 15). Parking spaces are located adjacent to each dwelling unit, with garage door openings oriented away from public streets and private drives. Access to the development is provided from both Hull Street and Cosby Roads.

#### Architectural Treatment:

The applicant has proffered that the architectural appearance of the dwelling units will be similar to those depicted in the elevations submitted with the application (Exhibit A) and that the materials will consist of cement siding (Hardi-Plank or equal), brick veneer, cut stone veneer and eifs with asphalt shingles, sheet metal and standing seam metal roofing (Proffered Condition 1). Proffered conditions require that the proposed clubhouse be architecturally compatible with the residential development. (Proffered Condition 11)

The Zoning Ordinance currently permits a maximum height for dwellings on the subject property of three (3) stories or forty (40) feet, whichever is less. In consideration of the existing residential development north of the property (Manor Gate Subdivision), the applicant has proffered a maximum height of two (2) stories or thirty (30) feet, whichever is less. (Proffered Condition 17)

#### Building Setbacks and Orientation:

Except as modified by this request, development must conform to the bulk requirements established in the Zoning Ordinance for the Residential Townhouse (R-TH) District. The applicant has requested exceptions to several of these standards, as noted in the Textual Statement submitted with this application. These Ordinance standards were designed to address a typical, suburban high-density residential project. The majority of these

exceptions will allow flexibility in site design to accommodate a unique townhouse project that has a character more in keeping with a single family detached unit layout versus the standard townhouse row design.

#### Buffers and Screening:

Currently, the Zoning Ordinance requires that solid waste storage areas (i.e., dumpsters, garbage cans, trash compactors, etc.) be screened from view of adjacent property and public rights of way by a solid fence, wall, dense evergreen plantings or architectural feature, and that such area within 1,000 feet of any residentially zoned property or property used for residential purposes not be serviced between the hours of 9:00 p.m. and 6:00 a.m. In addition, sites must be designed and buildings oriented so that loading areas are screened from any property where loading areas are prohibited and from public rights of way.

Adjacent property to the north is zoned Corporate Office (O-2) with Conditional Use Planned Development and is occupied by single family residences (Manor Gate Subdivision). The Zoning Ordinance does not require a buffer along the northern property boundary of the request site. The applicant has proffered a 100 foot building and parking setback along the northern boundary adjacent to Manor Gate Subdivision, of which the northern seventy-five (75) feet will be landscaped consistent with the Zoning Ordinance requirements for seventy-five (75) foot buffers. (Proffered Condition 16.b.)

Adjacent property to the east is zoned General Business (C-5) and is currently under site plan review for development of a self-storage facility. This site plan does not include the provision of a buffer adjacent to the subject property, as both properties are currently zoned commercially. The applicant has therefore proffered the provision of a fifty (50) foot setback adjacent to this eastern property, to be landscaped consistent with the requirements of the Zoning Ordinance for fifty (50) foot buffers. (Proffered Condition 16.a.)

Adjacent properties to the south and west are zoned Community Commercial (C-3) and Agricultural (A) with a Conditional Use for commercial uses, respectively. Proffered conditions provide for a fifty (50) foot landscaped setback to the south and a thirty (30) foot landscaped setback to the west to provide appropriate transition between existing and proposed non-residential land uses and this proposed residential development. (Proffered Condition 16.a.)

#### Recreation and Open Space:

The Zoning Ordinance requires that not less than twenty (20) percent of the total gross acreage for a townhouse project be provided in common open area, exclusive of driveways, parking areas and recreational areas. Further, a minimum of ten (10) percent of the gross acreage must be devoted to recreational use, with a minimum provision of 1.5 acres. The applicant proposes a .75 acre recreational area to serve the townhouse project

that will be located at the entrance to the development, as depicted on the Conceptual Plan. This area will include a clubhouse, containing a minimum of 2,000 gross square feet and will be hardscaped with benches and other amenities to facilitate the gathering of residents. Although this recreational provision is less than the 1.5 acre minimum, as an age-restricted project, the demand for “active” recreation space is not as great as a typical high density residential project. Further, open space is provided throughout the project, as shown on the Conceptual Plan. (Proffered Condition 2)

#### Sidewalks and Pedestrian Paths:

The applicant has agreed to provide sidewalks along both sides of roads and drives as generally shown on the Conceptual Plan. In addition, pedestrian connections will also be provided to the recreational uses within the project and to the adjacent commercially-zoned properties. (Proffered Condition 12)

#### Landscaping:

Street trees and landscaping should be provided to enhance the residential appeal of the townhouse development, define private spaces and minimize the predominance of building mass and paved areas. The applicant proposes that street trees be planted along each side of the interior roads and drives to include the entrance road from Hull Street Road into this development. Landscaping is to be installed around the perimeter of all buildings, between buildings and driveways, within medians and within common spaces not occupied by recreational facilities. (Proffered Conditions 13 and 14)

### CONCLUSIONS

The proposed zoning and land use conforms to the Upper Swift Creek Plan which suggests the property is appropriate for a mix of uses to include residential developments of various densities of up to ten (10) units per acre.

In addition, the applicant has proffered conditions which provide for amenities that will enhance the project and guarantee a quality development.

The proffered conditions address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the County’s adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Given these considerations, approval of this request is recommended.

## TEXTUAL STATEMENT

DOGWOOD PARTNERSHIP, L.L.C

December 16, 2002

Revised: February 14, 2003, March 10, 2003

Matoaca Magisterial District

Northeast Quadrant of Cosby Road and Hull Street Road

REQUEST: Rezoning from Community Business (C-3) with Conditional Use to permit multi-family residential uses and single family uses not located on individual lots to Residential Townhouse (R-TH) with Conditional Use Planned Development (CUPD) to permit exceptions to standards in the Residential Townhouse (R-TH) District.

Except as stated herein, the requirements of the Zoning Ordinance for the R-TH District shall be applicable.

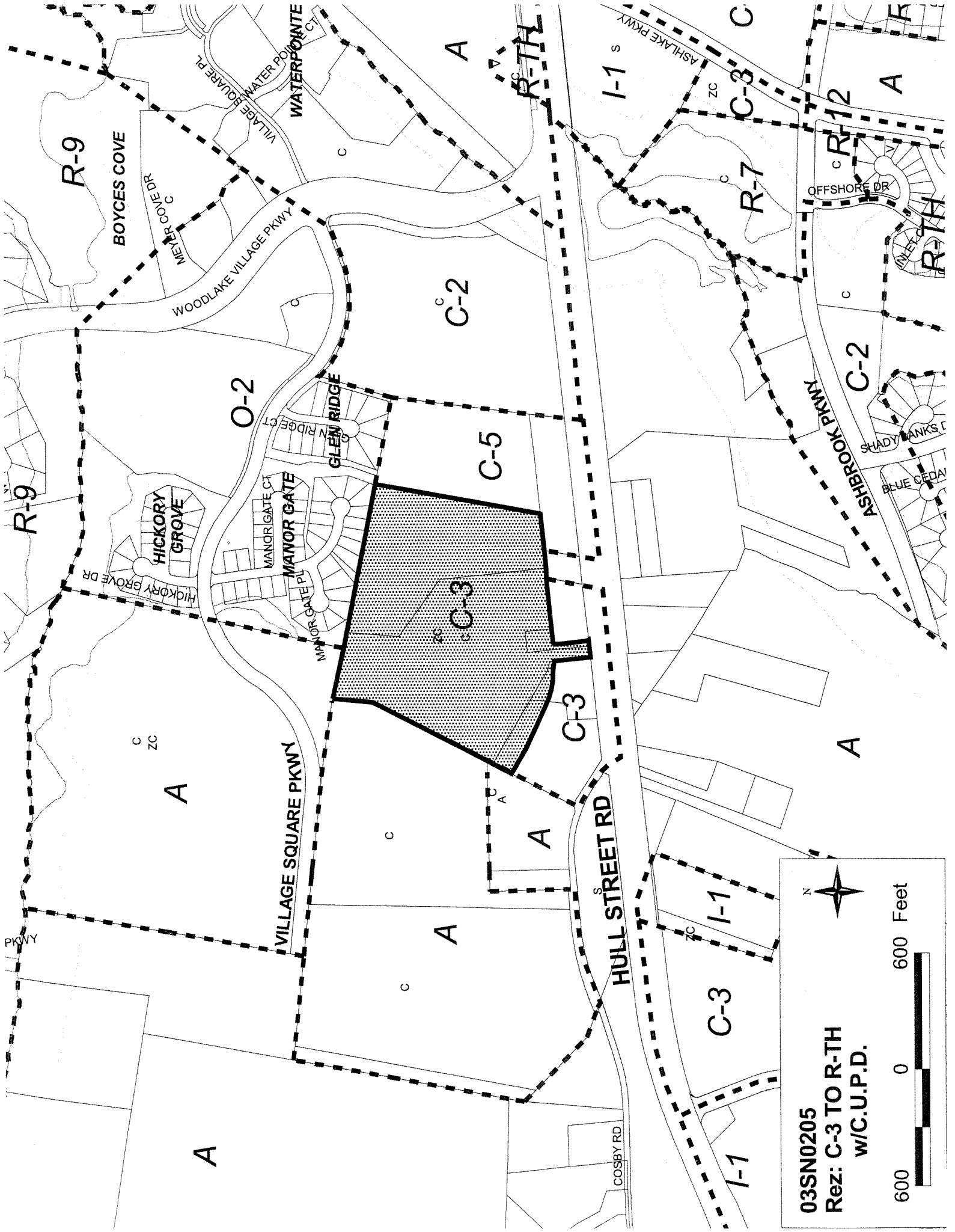
1. Front Yard.  
Minimum of 10 feet in depth. Front yards shall be measured from the property line that each unit faces.
2. Side Yard.  
A side yard of not less than ten feet in width shall be provided for each end residence in dwelling unit groups of more than two (2) attached units. Single dwelling units or two (2) attached units shall have one side yard a minimum of ten (10) feet and one side yard of zero feet with a minimum of twenty (20) feet between unit groups.
3. Rear Yard.  
For dwelling unit groups of two (2) or more where such units are attached back to back, a minimum of zero feet. For single units or dwelling unit groups of two (2) or more where such units are attached side to side, a minimum of fifteen (15) feet.
4. Driveway and Parking Areas.  
Concrete curb and gutter shall be installed along the drives, roads and parking areas which accommodate general traffic circulation through the development.  
(NOTE: This condition will not require installation of curb and gutter along driveways serving individual buildings unless necessary for proper drainage, as determined by Environmental Engineering.)
5. Group or ROW Design.
  - a. The maximum number of attached units shall be four (4).
  - b. If units are attached, variation in setbacks from rights of way shall be achieved through recessing a portion of each dwelling facing the right of way in lieu of varying the setback of each unit.

6. Frontage on Public Streets.

All roads which accommodate general traffic circulation through the development, as approved by the Transportation Department, shall be designed and constructed to state standards and taken into the state system. This condition may be modified by the Transportation Department if it is determined that the roads or any part of such roads cannot be designed for state acceptance. For any roads which accommodate general traffic circulation through the development that are not to be a part of the state system, a plan that insures the continual maintenance of the private streets shall be submitted to, and approved by, the Transportation Department.

7. Recreational Area Required.

An exception to the 1.5 acre minimum requirement for recreational area.



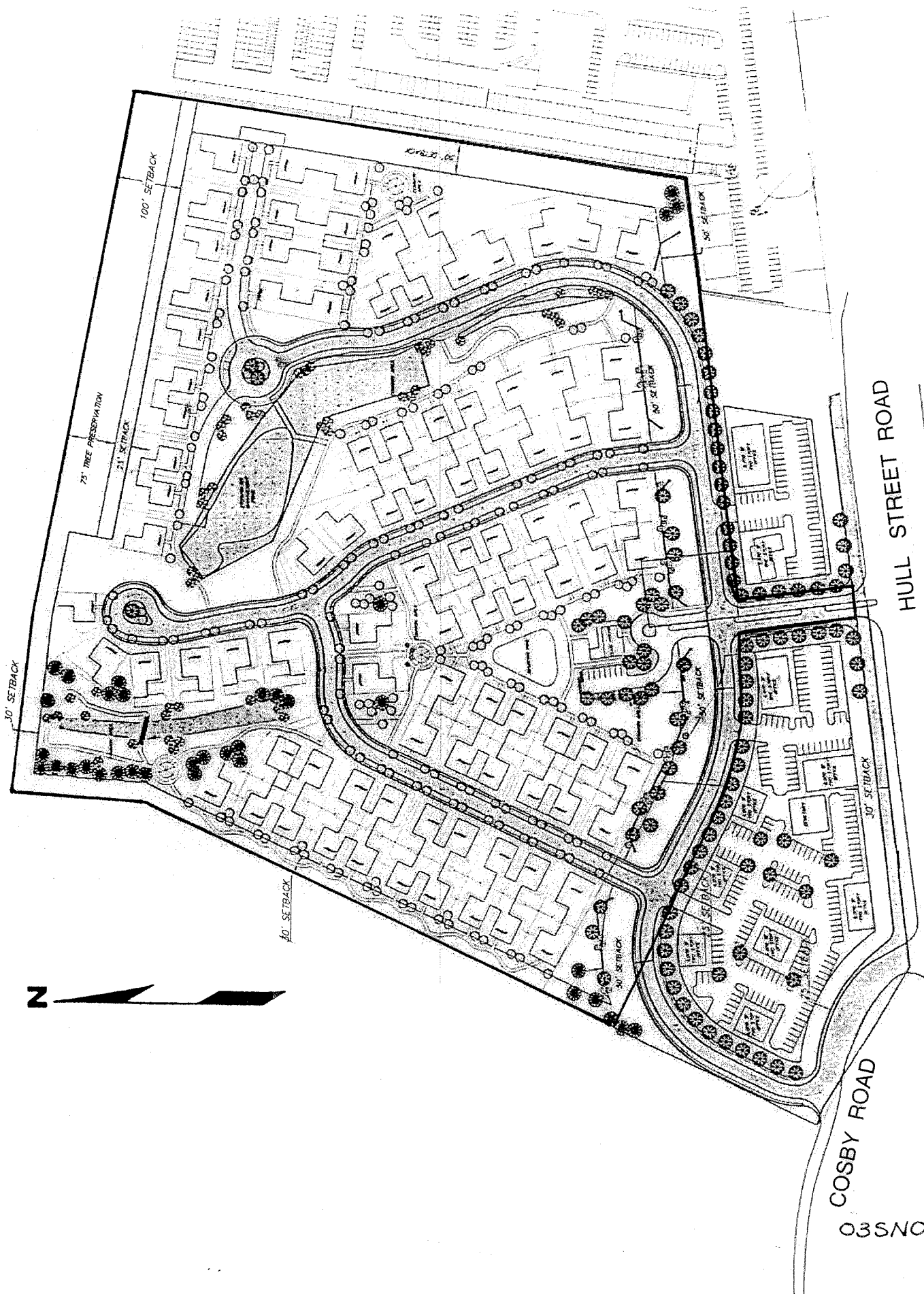
03SN0205

Rez: C-3 TO R-TH  
w/C.U.P.D.



600 0 600 Feet





03SNO205-1

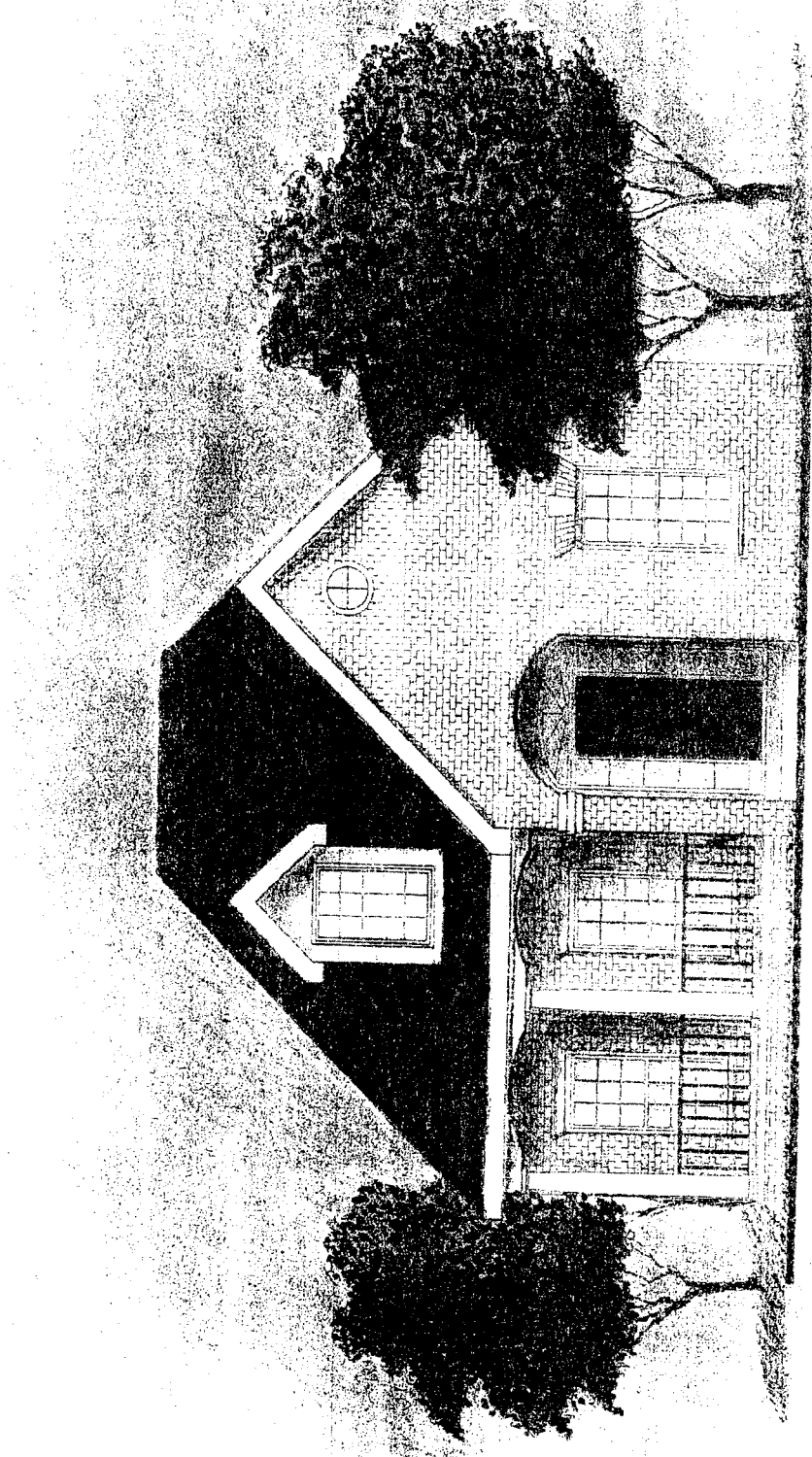


EXHIBIT A  
THE VILLAS AT DOGWOOD  
FEBRUARY 14, 2003

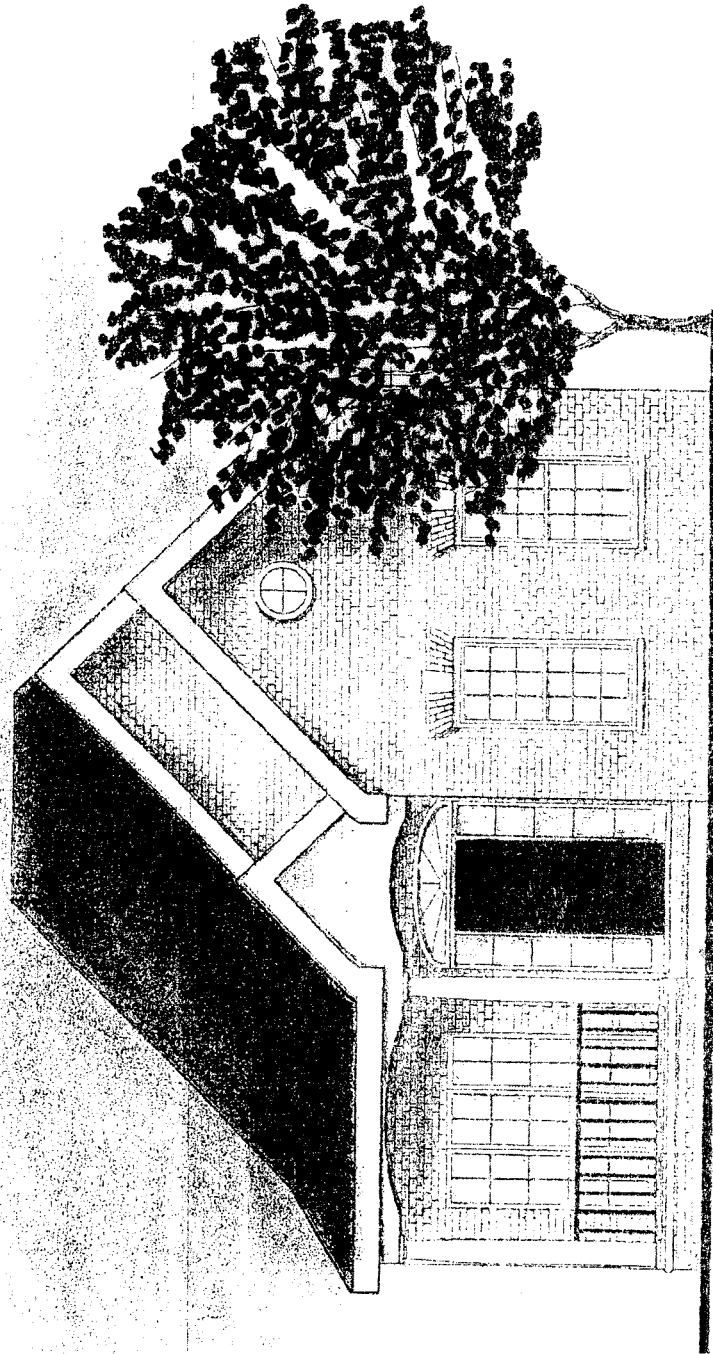


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FEBRUARY 14, 2005

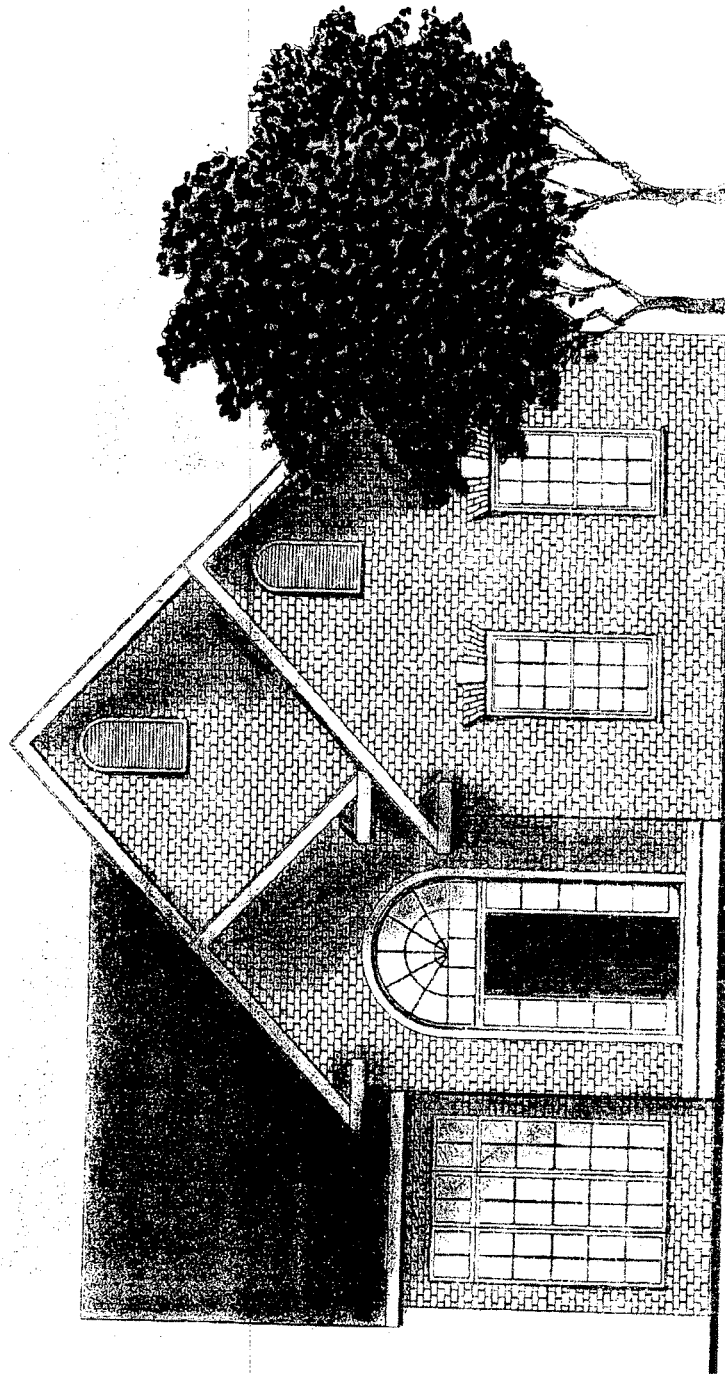
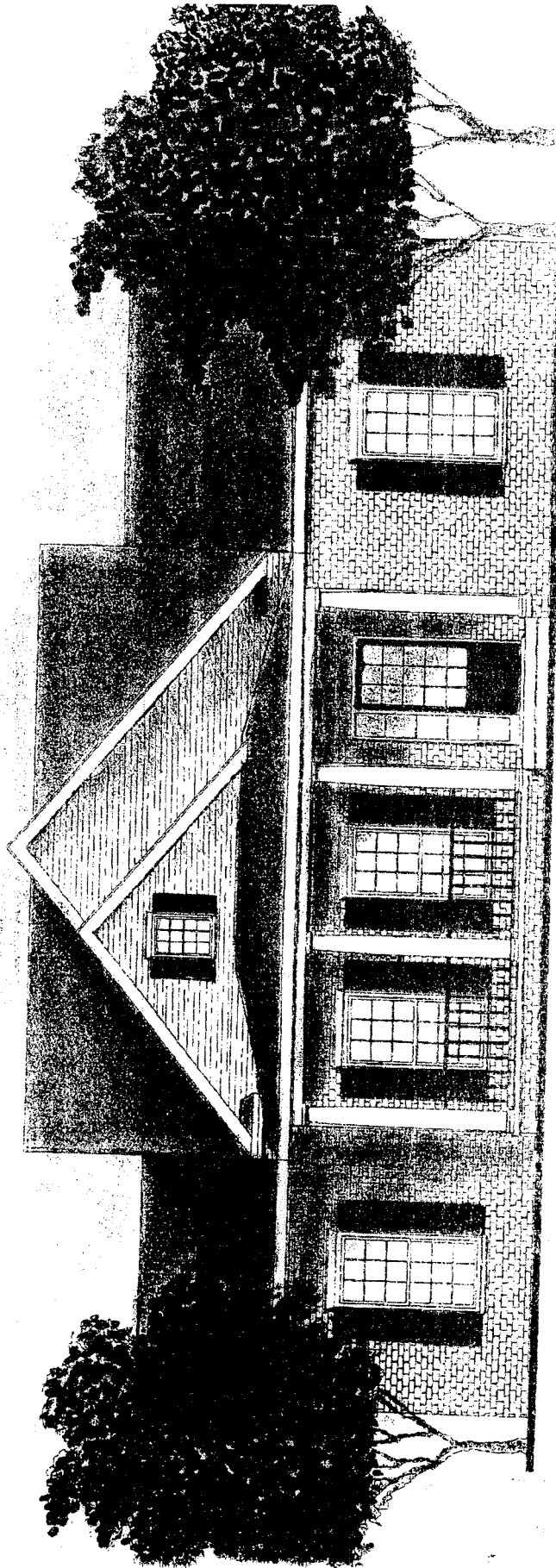


EXHIBIT A  
THE VILLAS AT DOGWOOD  
FEBRUARY 14, 2003

035NO205-4



ENCLURE A  
THE VILLAS AT DOGWOOD  
FEBRUARY 14, 2003

03SN0205-5

# THE VILLAS AT DOGWOOD

March 6, 2003

## TYPICAL CONSTRUCTION PRODUCTS:

### Roofing:

Asphalt shingles  
Sheet Metal (including copper)  
Standing Seam Metal (including copper)

### Exterior Siding:

Cement Siding (Hardi-Plank or equal)  
Brick Veneer  
Cut Stone Veneer  
EIFS/Stucco look alike products  
Aluminum or Vinyl soffits, moldings, and trim

### Exterior Decorative Items:

Polymer/steel combo porch columns  
Wood or metal porch railing

### Windows:

Aluminum clad or Vinyl

### Foundations:

Brick and block  
Stone

### Driveways:

Asphalt

### Sidewalks:

Concrete

Color selections will be limited to ensure continuity and aesthetic appeal throughout the project. Light colored brick, stucco, stone and siding products will be utilized to produce a village vernacular. Shared driveways, tree lined streets and broad sidewalks enhance the visual association to a pedestrian community.

## EXHIBIT A

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